

INTERNATIONAL SEARCH REPORT

PCT/DK 03/00383

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 G01N15/12 G01N33/80

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 G01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 731 206 A (FISCHER TIMOTHY J ET AL) 24 March 1998 (1998-03-24) claim 1 column 10, line 20 - line 58 ---	1-8
Y	US 5 316 951 A (CARVER DIANE D ET AL) 31 May 1994 (1994-05-31) abstract column 1, line 10 - line 25 column 4, line 6 - line 40 ---	9-21
X	WO 01 11338 A (LARSEN ULRIK DARLING) 15 February 2001 (2001-02-15) abstract; figure 1 page 7, line 1 - line 23 page 21, line 9 - line 14 page 24, line 4 - line 15 ---	1-8
Y		9-21
		-/-

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the International filing date
- "L" document which may throw doubts on priority, claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the International filing date but later than the priority date claimed

- "T" later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the International search

7 October 2003

Date of mailing of the International search report

23.10.2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl
Fax: (+31-70) 340-3016

Authorized officer

MALIN SÖDERMAN /EÖ

INTERNATIONAL SEARCH REPORT

PCT/DK 03/00383

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6 319 209 B1 (KRIZ DARIO) 20 November 2001 (2001-11-20)	1-8
Y	abstract column 1, line 52 - line 55 column 2, line 38 - line 45; figures 1-4 column 5, line 40 - line 49 ---	9-21
P, Y	WO 02 089670 A (CHEMPAQ APS ;LARSEN ULRIK DARLING (DK)) 14 November 2002 (2002-11-14)	9-21
P, A	abstract; figures 1-3 ---	1-8
A	US 5 501 982 A (RUTNARAK SANGVORN ET AL) 26 March 1996 (1996-03-26)	1-21
	abstract column 1-2 ---	
A	US 4 521 729 A (ROGGENKAMP HANS-GUNTHER ET AL) 4 June 1985 (1985-06-04)	1-21
	abstract; figures 1,2 column 4, line 27 - line 45 column 9, line 38 - line 47 ---	
A	US 3 122 431 A (COULTER WALLACE H ET AL) 25 February 1964 (1964-02-25)	17-21
	column 2, line 54 - line 55 ---	
A	EP 1 182 457 A (MALLINCKRODT BAKER B V) 27 February 2002 (2002-02-27)	17-21
	page 7, line 18 - line 25 ---	
Y	US 3 549 994 A (ROTHMEL WILLIAM F ET AL) 22 December 1970 (1970-12-22)	9-21
A	column 1, line 15 - line 36 -----	1-8

INTERNATIONAL SEARCH REPORT

International application No.
PCT/DK 03/00383

Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.: 1-21 because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210

3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International Application No. PCT/DK 03/00383

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-21

Present claims 1-21 relate to a compound defined by reference to a desirable characteristic or property, namely a lysing capability sufficient for lysing erythrocytes while maintaining counting ability of other cells. The claims cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and / or disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lacks clarity (Article 6 PCT). An attempt is made to define the compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible.

Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the cartridge, described in claims 9-21 and in the description at page 3, lines 4-14, page 5, line 1-page 9, line 4, page 9, line 19-page 10, line 22, page 13, line 14-page 21, line 15.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/DK 03/00383

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
US 5731206	A 24-03-1998	AU 1541788 A CA 1338603 C CN 1030481 A ,B DE 3854983 D1 DE 3854983 T2 DE 3855919 D1 DE 3855919 T2 DE 305491 T1 EP 0305491 A1 EP 0627624 A1 ES 2010248 A6 IL 85532 A JP 1502931 T JP 2796325 B2 WO 8807187 A1 US 5155044 A		10-10-1988 24-09-1996 18-01-1989 21-03-1996 26-09-1996 26-06-1997 16-10-1997 16-11-1989 08-03-1989 07-12-1994 01-11-1989 29-03-1992 05-10-1989 10-09-1998 22-09-1988 13-10-1992
US 5316951	A 31-05-1994	US 5316725 A WO 9532622 A1 EP 0762828 A1		31-05-1994 07-12-1995 19-03-1997
WO 0111338	A 15-02-2001	AU 6280000 A CA 2381285 A1 WO 0111338 A1 EP 1206692 A1		05-03-2001 15-02-2001 15-02-2001 22-05-2002
US 6319209	B1 20-11-2001	AU 7034000 A CA 2380657 A1 EP 1206217 A1 WO 0113795 A1 JP 2003507719 T NO 20020733 A		19-03-2001 01-03-2001 22-05-2002 01-03-2001 25-02-2003 13-02-2002
WO 02089670	A 14-11-2002	WO 02089670 A1		14-11-2002
US 5501982	A 26-03-1996	AU 1258495 A WO 9517658 A1		10-07-1995 29-06-1995
US 4521729	A 04-06-1985	DE 3215719 A1 AT 24054 T DE 3368127 D1 DK 186583 A EP 0092775 A1 ES 8402424 A1 FI 831414 A JP 59015849 A NO 831488 A PT 76613 A ,B		03-11-1983 15-12-1986 15-01-1987 29-10-1983 02-11-1983 16-04-1984 29-10-1983 26-01-1984 31-10-1983 01-05-1983
US 3122431	A 25-02-1964	US 2985830 A FR 1238032 A GB 907028 A NL 127771 C NL 240601 A NL 6902746 A		23-05-1961 05-08-1960 26-09-1962 27-05-1969
EP 1182457	A 27-02-2002	EP 1182457 A1 AU 9243901 A		27-02-2002 25-02-2002

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/DK 03/00383

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
EP 1182457	A	EP	1309862 A1	14-05-2003
		WO	0214861 A1	21-02-2002

US 3549994	A 22-12-1970	FR	1496169 A	29-09-1967
		AT	269390 B	10-03-1969.
		AU	4759672 A	15-08-1974
		BE	701846 A	02-01-1968
		BE	713776 A	17-10-1968
		CA	936018 A1	30-10-1973
		CA	931508 A1	07-08-1973
		CH	494963 A	15-08-1970
		CH	563184 A5	30-06-1975
		CH	509588 A	30-06-1971
		CH	517295 A	31-12-1971
		CH	518730 A	15-02-1972
		CH	501924 A	15-01-1971
		DE	1773226 A1	27-04-1972
		DE	1798430 A1	04-01-1973
		DE	1798431 A1	15-02-1973
		DE	1798432 A1	04-01-1973
		DE	2009713 A1	17-09-1970
		DE	2249554 A1	26-04-1973
		DE	1300208 B	31-07-1969
		DK	141079 B	07-01-1980
		ES	352852 A1	16-01-1970
		ES	367188 A1	01-01-1972
		ES	367189 A1	01-04-1971
		ES	367190 A1	01-04-1971
		ES	407499 A1	16-10-1975
		FR	2034613 A1	11-12-1970
		FR	2157374 A5	01-06-1973
		FR	1571423 A	20-06-1969
		GB	1305813 A	07-02-1973
		GB	1369557 A	09-10-1974
		GB	1194584 A	10-06-1970
		GB	1232701 A	19-05-1971
		GB	1232702 A	19-05-1971
		GB	1232703 A	19-05-1971
		GB	1232704 A	19-05-1971
		GB	1232705 A	19-05-1971
		IL	29836 A	29-02-1972
		IL	38219 A	28-02-1973
		IL	40531 A	15-10-1975
		IT	966272 B	11-02-1974
		JP	49000225 B	07-01-1974
		JP	54002598 B	09-02-1979
		JP	55006192 B	14-02-1980
		JP	48046773 A	03-07-1973
		LU	54155 A1	21-09-1967
		NL	6709747 A	29-01-1968
		NL	6805384 A	18-10-1968
		NL	7213663 A	25-04-1973
		SE	337706 B	16-08-1971
